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Remarks

Reconsideration of the above-captioned application is respectfully requested. All pending claims have been allowed or indicated as being allowable, except for Claims 1, 2, 16, and 17, which have been rejected under 35 U.S.C. §102 as being anticipated by Park et al., USPN 6,680,915. Claim 16 has been canceled and allowable Claim 18 rewritten in independent form, leaving only Claim 1 at issue.

The rejection observes that the routers of Park et al. simply relay messages, some of which can be urgent, which is true. However, Park et al. nowhere mentions that the urgent messages are or represent faults. Indeed, the word "fault" is not mentioned in Park et al., so the contention in the Office Action that the urgent messages are read on by the recited "faults" seems to be without adequate basis.

Furthermore, even if the "urgent" messages of Park et al. are equated to the claimed faults, Claim 1 requires doing something with the recited faults that Park et al. does not do with its urgent messages, namely, determining a set of nodes. The routers of Park et al., relied on as the claimed set of nodes, are not determined based on the messages (urgent or otherwise) that pass through them. Instead, the routers of Park et al. merely relay the messages but are not determined by them, as is otherwise required in Claim 1.

With respect to the reasons for allowance, Applicant respectfully notes that a "primary reason" has been identified for finding allowance, when a claim is allowable (or not) based on the combination of elements it recites, not based on fewer. Thus, it is noted that the reasons for allowance, while arriving at a conclusion with which Applicant agrees, does not set forth each limitation of each independent claim as being part of the reason as a whole for allowing the claim, and implies that the noted limitations apply to all claims. Applicant would like to emphasize that each independent claim stands allowable on its own terms, regardless of the language of other claims, and that the reasons for allowance must not be construed as a

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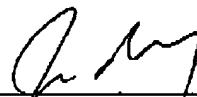
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substitute for what the claims actually recite. Thus, no acquiescence in the reasons for allowance should necessarily be presumed.

The Examiner is cordially invited to telephone the undersigned at (619) 338-8075 for any reason which would advance the instant application to allowance.

Respectfully submitted,



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